

AUG 16 2005

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Milan Kokta, et al.

Title: SPINEL ARTICLES AND METHODS FOR FORMING SAME

App. No.: 10/669,141

Filed: September 23, 2003

Examiner: Stephen J. Stein

Group Art Unit: 1775

Customer No.: 34456

Confirmation No.: 2825

Atty. Dkt. No.: 1035-BI4282

MS AF

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

## REQUEST FOR RECONSIDERATION

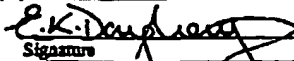
Dear Sir:

In response to the Final Office Action mailed June 1, 2005, reconsideration of the rejections contained therein is respectfully requested for the following reasons.

1. Claims 1, 5, 11, 18 and 19 were rejected under the judicially created doctrine of obviousness-type double patenting over claims 10 and 11 of co-pending Application No. 10/802,160. While Applicants do not acquiesce to this rejection, Applicants shall provide a Terminal Disclaimer effective to remove the provisional rejection upon resolution of the remaining issues contained in the Office Action.

2. Claims 1-22 were rejected under §102(b) over Cullen et al. This rejection is respectfully traversed for the following reasons.

The claimed invention is drawn to a single crystal spinel boule (claim 1), a single crystal spinel wafer (claim 5), and a single crystal optoelectronic substrate (claim 18). The present claims also specify that the spinel is non-stoichiometric, having a b:a ratio greater than 2.5:1. The

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents on <u>8-16-05</u> .	
Elise K. Dougherty	
Typed or Printed Name	Signature


Should Examiner Stein deem that any further action by the Applicants would be desirable for placing this application in even better condition for issue, he is requested to telephone Applicants' undersigned attorney at the number listed below.

Applicants do not believe that any additional fees are due, but if the Commissioner believes additional fees are due, the Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

Date

8/16/05

  
Jeffrey S. Abel, Reg. No. 36,079  
Attorney for Applicant(s)  
TOLER, LARSON & ABEL, L.L.P.  
5000 Plaza On The Lake, Suite 265  
Austin, Texas 78746  
(512) 327-5515 (phone)  
(512) 327-5452 (fax)